

## REMARKS

Applicant respectfully requests the Examiner's reconsideration of the present application. No claims have been cancelled. Claims 1, 11, 13 and 18 have been amended. Claims 20-46 have been added. Therefore, claims 1-46 are presented for examination.

### **Information Disclosure Statement**

Applicant notes that the Examiner has initialed the Information Disclosure Statement (IDS) submitted by Applicant on September 25, 2003. However, the Examiner has not yet returned an initialed copy of the IDSs submitted on March 10, 2004, and June 1, 2004. Applicant respectfully requests that the Examiner initial and return the IDSs to indicate consideration of the references cited by Applicant.

### **Drawings**

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because different reference characters were used to refer to similar parts in different figures. Applicant respectfully submits that the use of different reference numbers is permissible, since the reference numbers refer to parts appearing in separate and distinct drawings that illustrate embodiments of the invention (see Brief Description of the Drawings) Accordingly, Applicant requests that the objection to the drawings be withdrawn.

### **Specification**

The abstract is objected to because it is too short and did not describe the disclosure sufficiently. Applicant has amended the Abstract, and respectfully requests that the objection be withdrawn.

## **Rejections Under 35 U.S.C. §103(a)**

### *Davis in view of Foladare*

Claims 1-8, 10-13, and 15-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Davis et al., U.S. Patent No. 6,378,073 ("Davis") in view of Foladare et al, U.S. Patent No. 6,044,267 ("Foladare"). Applicant respectfully submits that the present claims are patentable over the combination of Davis and Foladare.

Davis discloses sending secure financial transaction messages over an existing paging infrastructure equipment, such as a base station (transmitter) and a pager. A message is received at a paging terminal and transferred to a radio frequency transmitter for broadcast to a pager. The pager includes an interface to a Smart Card for effecting a financial transaction, as well as means for implementing the return or origination of secure financial transaction messages using a channel that is accessed at a point of sale.

Foladare discloses a system for routing a call to a cordless telephone via a cordless base station. The base station performs functions for interfacing with the public switched telephone network (PSTN), such as switch-hook operations, line termination, and on/off hook interface signals.

Independent claims 1 and 11, as amended, each include the limitation of a multifunctional portable base station that interacts with a point of sale terminal to conduct a financial transaction, wherein the multifunctional portable base station directly exchanges information with the limited function access device as part of the financial transaction.

The Examiner admits that Davis fails to teach or suggest a multifunctional base station as originally claimed, and is relying on Foladare as disclosing this limitation. However, Foladare does not teach or suggest that its cordless telephone base station interacts with a point of sale terminal to conduct a financial transaction. Rather, Foladare's cordless telephone base station merely interfaces with the PSTN. Furthermore, neither Davis or Foladare teach or suggest a multifunctional portable base station directly exchanging information with a limited function device as part of a

financial transaction, as claimed. Therefore, neither Davis, Foladare, nor the combination teach or suggest the claimed limitations.

Accordingly, Applicant respectfully submits that independent claims 1 and 11 and claims 2-8, 10, 12-13, and 15-19 that depend from them, are patentable over the combination of Davis and Foladare under 35 U.S.C. § 103(a), and respectfully requests the withdrawal of the rejection of the claims.

*Davis in view of Foladare and Lim*

Claims 9 and 14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Davis in view of Foladare and further in view of Lim, U.S. Patent No. 6,728,884 ("Lim"). Applicant respectfully submits that the present claims are patentable over the combination of Davis, Foladare and Lim.

Lim discloses authentication of a client seeking to access a protected computer system over a network. An authentication input may include biometric data, such as a thumbprint image.

Claims 9 and 14 depend from independent claims 1 and 11. Independent claims 1 and 11, as amended, each include the limitation of a multifunctional portable base station that interacts with a point of sale terminal to conduct a financial transaction. As discussed above, neither Davis, Foladare, nor their combination teach or suggest this limitation. Lim is directed to biometric authentication, and does not teach or suggest a multifunctional portable base station as claimed in independent claims 1 and 11. Accordingly, Applicant respectfully submits that claims 9 and 14 cannot be rendered obvious by the combination of Davis, Foladare and Lim, and requests the withdrawal of the rejection of the claims under 35 U.S.C. §103(a).

### **New Claims**

New claims 20-46 have been added. Applicant respectfully submits that new claims 20-46 are allowable for at least the reasons discussed above.

### **Conclusion**

Applicant respectfully submits that in view of the amendments and discussion set forth herein, the applicable rejections have been overcome and the pending claims are in condition for allowance.


If the Examiner determines the prompt allowance of the claims could be facilitated by a telephone conference, the Examiner is invited to contact Scott Heilesen at (408) 720-8300.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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